

NORTON ROSE FULBRIGHT

July 31, 2015

BY ECF

Magistrate Judge A. Kathleen Tomlinson
United States District Court
Eastern District of New York
100 Federal Plaza, Room 920
Central Islip, New York 11722

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Re: *Shaniqua McClam v. New York Institute of Technology, et. al.*
Case No. 15-CV-01116 (JFB)(AKT)

Dear Magistrate Judge Tomlinson:

We represent defendant New York Institute of Technology ("NYIT") in the above-referenced action. In accordance with the Court's Civil Conference Minute Order, dated July 1, 2015, we are writing on behalf of both parties to set forth the agreement the parties have reached with respect to electronically stored information ("ESI").

1. **Custodians.** The parties have agreed that defendant NYIT will conduct ESI searches for the following custodians for the period of September 1, 2012 to the present: Pilar Visconsti, Geralyn Sirianni, Shaniqua McClam, Patricia Marshall, Maureen Gaughran, and Carol Jablonsky. The parties have also agreed that plaintiff will conduct ESI searches for the following custodians for the period of September 1, 2012 to the present: Shaniqua McClam. The parties further agree that each party reserves the right to request ESI from additional custodians based upon the parties' respective discovery responses about which the parties will meet and confer.

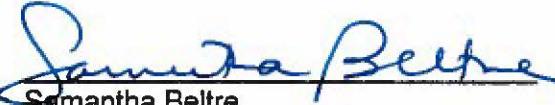
2. **Search Terms.** The parties have initially agreed that defendant NYIT and Plaintiff will utilize the following search terms: (i) Shaniqua; and (ii) McClam, (iii) complain; (iv) complaint; (v) Patricia; (vi) Marshall; (vii) discriminate, discrimination, and discriminating; (ix) harass, harassing, and harassment; and (x) retaliate, retaliation, or retaliating. The parties further agree that each party reserves the right to request the application of additional search terms based upon the parties' respective discovery requests and responses. Although the parties agree to apply the search terms listed above as an initial matter, each party reserves its rights to review the search results and make further adjustments to the searches in the event of large numbers of false positives. In the event either party believes an adjustment is necessary, the parties agree to meet and confer concerning such an adjustment.

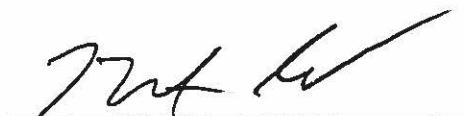
4. **Form of Production.** The parties specify that any electronically stored information may be produced in either hard copy or as searchable pdf files.

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Respectfully submitted,


Samantha Beltre



Robert D. Salaman